

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 1:15-CR-164 (CMH)
)	
ALI SHUKRI AMIN,)	(Status Hrg: Jan. 10, 2020, 9:00 a.m.)
)	
Defendant.)	

**GOVERNMENT'S RESPONSE IN OPPOSITION TO DEFENDANT'S *PRO SE* MOTION
FOR GRAND JURY TRANSCRIPTS, BALLOT, OR RECORD FOR INSPECTION**

The United States, by its attorneys, G. Zachary Terwilliger, United States Attorney for the Eastern District of Virginia, and W. Neil Hammerstrom, Jr., Assistant United States Attorney, hereby responds to defendant's *pro se* "Motion for Grand Jury Transcripts, Ballot, or Record for Inspection; Indictment; and Criminal Complaint." The defendant's motion should be denied, as moot, for the following reasons.

1. On June 11, 2015, defendant Amin appeared before the Court with his retained counsel, Joseph T. Flood, at which time he waived indictment and entered a plea of guilty to a criminal information charging him with conspiracy to provide material support to the Islamic State in Iraq and the Levant ("ISIL"), in violation of Title 18, United States Code, Section 2339B. *See* Dkt Nos. 3-7. He was sentenced by the Court on August 28, 2015 to a term of 136 months' imprisonment to be followed by a life term of supervised release. Dkt. Nos. 19-20. That sentence of imprisonment was later reduced on motion of the government to a term of 72 months. Dkt. No. 26.

2. Given the fact that defendant knowingly and voluntarily entered a waiver of indictment and pleaded guilty to a criminal information, there was no indictment returned against him by a grand jury.

3. Through his retained counsel, the defendant was provided with copies of all charging instruments and pleadings in his case, including a waiver of indictment, plea agreement, statement of facts, criminal information, and documents filed pursuant to 18 U.S.C. § 5032 (governing transfer of prosecution to adult status).

Because the documents defendant seeks in his motion either do not exist, or have already been provided to him through his retained counsel, his motion should be denied, as moot.

Respectfully submitted,

G. Zachary Terwilliger
United States Attorney

By: _____/s/_____
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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of January 2020, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will send an electronic notification to all counsel of record.

/s/
W. Neil Hammerstrom, Jr.
Assistant United States Attorney